

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Assistant Secretary to Government in common pool - Revision of seniority of Sri D. Rangaswamy, Assistant Secretary to Government, Social Welfare Department – Reversion as Section Officer and promotion as Assistant Secretary to Government – Orders – Issued.

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GENERAL ADMINISTRATION (SC.F) DEPARTMENT

G.O.Ms.No. 198

Dated:: 28-04-2009

Read the following ::

- 1) G.O.Rt.No.612, General Administration (SC.F) Department, dated:: 03-02-2006.
- 2) Govt.Memo.No.478/SC.F/A2/2005-1, dated:: 14-02-2006.
- 3) Govt.Memo.No.478/SC.F/A2/2005-11, dated:: 27-11-2006
- 4) G.O.Rt.No.482, General Administration (SC.F) Department, dated:: 25-01-2007.
- 5) From the A.P. Administrative Tribunal, judgment, dated: 04-03-2009 in O.A.No. 7268/2006 with VMA No. 86/2008.

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In the G.O. first read above, Sri D. Rangaswamy was promoted as Assistant Secretary to Govt in the panel year 2005-06 at roster point 72 which belongs to Scheduled Caste Community at which the adequacy was fulfilled. Accordingly, he is working as Assistant Secretary to Government.

2) Consequent on revision of seniority, in the cadre of Assistant Section Officer and confirmation of seniority in the cadre of Section Officer by General Administration (SU) Department vide G.O.Ms.No.440, GA (SU.II) Dept, dt:01-10-2005 / U.O.Note No. 88800/SU.I/2005-3, GA (SU.I) Dept, dt: 11-11-2005, Sri Shivanarayan, Section Officer has requested for considering his case for promotion as Assistant Secretary to Government in the reserved quota for Schedule Caste. In the said revision, Sri Shivanarayan was given placement at Sl.No. 686(a) instead of Sl.No.736, whereas, Sri D. Rangaswamy, Assistant Secretary to Govt was listed at Sl.No. 712 in the final seniority list of Assistant Section Officers published vide G.O.Ms.No.186, GA (SU.II) Dept, dt:20.6.2003. After careful examination of the issue, a show cause notice was issued to Sri D. Rangaswamy, Assistant Secretary to Government, vide Govt.Memo. second read above, as to why, Sri Shivanarayan should not be promoted as Assistant Secretary to Government duly reverting him as Section Officer. After examining the representation of Sri D. Rangaswamy, his plea was rejected, vide Govt.Memo. third above, as it is not in accordance with the rules.

3) Aggrieved by this, Sri D. Rangaswamy, Assistant Secretary to Government has filed O.A.No. 7268/2006 for suspending the above Memo. and also for continuing him in the cadre of Assistant Secretary to Government. The Hon'ble Tribunal in its interim orders, dated::05-12-2006 has directed the respondents not to revert him in pursuance to the impugned orders.

4) Government, after careful consideration of the case and after obtaining the recommendation of the review Screening Committee and keeping in view of the Hon'ble Tribunal's interim orders referred to above, have issued orders vide G.O. fourth read above, promoting Sri Shivanarayan as Assistant Secretary to Government, notionally, w.e.f 03-02-2006 in the panel year 2005-06, at the roster point 72 which belongs to SC, duly continuing Sri D. Rangaswamy as Assistant Secretary to Government subject to the outcome of the O.A.No. 7268/2006.

P.T.O.

5) Government have also filed a VMA 86/2008, explaining the details of the case and requested for dismissal of the O.A.No. 7268/2006. The Hon'ble Tribunal in its judgment, dated 04-03-2009 in O.A.No. 7268/2006 with VMA No. 86/2008 has stated that the detailed explanation given in the impugned Memo. dt:27.11.2006 with respect to the claim of Sri D. Rangaswamy for regularization in the cadre of Assistant Section Officer is in accordance with the rules and valid and accordingly dismissed the O.A. allowing the VMA.

6) Keeping in view of the final orders of A.P.A.T. in O.A 7268/2006, Government hereby rescind the promotion orders issued vide G.O.Rt.No.612, General Administration (SC.F) Department, dated:: 03-02-2006. Accordingly, the promotion assigned to Sri D. Rangaswamy as Assistant Secretary to Government is hereby withdrawn and he is reverted as Section Officer w.e.f 03.02.2006.

7) The Screening Committee while preparing the panel of Section Officers fit for promotion as Assistant Secretaries to Government for the year 2006-07, has included the name of Sri D. Rangaswamy, in the panel, as per his eligibility, suitability and merit and also observing Rule of Reservation, recommended for his promotion as Assistant Secretary to Government at roster point 16 of S.C.

8) Government, on examination of the recommendation of the said Screening Committee, have decided to promote Sri D. Rangaswamy as Assistant Secretary to Government w.e.f 19.02.2007 FN at roster point 16 which belongs to SC of the panel year 2006-07, on par with his immediate junior Smt. P. Usha in the said panel, who got promotion as Assistant Secretary to Government at roster point 17 vide G.O.Rt.No. 782, General Administration (SC.F) Department, dated 13.02.2007 and joined duty w.e.f 19-02-2007 FN.

9) Accordingly, Sri D. Rangaswamy, Section Officer is hereby appointed temporarily by transfer as Assistant Secretary to Government w.e.f 19-02-2007 FN under Rule 10 (a) of A.P. State and Subordinate Service Rules, in the scale of pay Rs.12385 – 315 – 12700 – 330 – 13030 – 360 – 13750 – 425 – 15025 – 475 – 16925 – 550 – 19675 – 625 – 22800 – 700 – 27750/-. The appointment is purely temporary and he is liable to be reverted as Section Officer at any time without notice and without assigning any reasons therefor. He is allowed to continue in Social Welfare Department on promotion as Assistant Secretary to Government.

10) The Social Welfare (OP.I/Claims) / General Administration (SU.I) Departments shall take action for implementation of the above said orders. The Social Welfare (OP.I) Department shall make necessary entries in the Service Register of the individual.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.M. GONELA
PRINCIPAL SECRETARY TO GOVT (POLL)

To
Sri D. Rangaswamy, thro: SW (OP.I) Dept.
The Social Welfare (OP.I/Claims) Department.
The General Administration (SU.I) Department.
The PR&RD (OP.I) Department.
The Deputy Pay & Accounts Officer,
Secretariat Branch, Hyderabad.
The Accountant General, A.P. Hyderabad.
SF/SCs.

// FORWARDED..BY ORDER //

SECTION OFFICER (SC)